

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE: Application of Phillip Charles BOX et al.

Serial No.: To be assigned

Art Unit: To be assigned

Filing Date: Concurrently herewith

Examiner: To be assigned

For: *Medicinal Compounds*

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT (B)**

This Information Disclosure Statement was transmitted with the above National Stage application on April 19, 2006. The Information Disclosure Statement was filed electronically, and without signature. The filing of the Information Disclosure Statement without signature was an inadvertent mistake. The Information Disclosure Statement is being refiled with signature. Entry of the Information Disclosure Statement prior to examination on the merits is respectfully requested.

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

Copies of the references listed on the attached form PTO-1449 as item nos. 7-14, 16-17, 19-20, and 29-37 were previously submitted with the electronically filed application

Copies of the references were submitted in parent application Serial No. \_\_\_\_\_.  
(37 CFR 1.98(d))

A copy of the International Search Report which issued on International Application No. PCT/EP2004/011952 was previously submitted with the electronically filed application. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 as item nos. 4, 15, 18, 28 and 38 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B.  The Information Disclosure Statement transmitted herewith is being filed after three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but before the mailing date of either:

- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311,

whichever occurs first.

Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

[ ] Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

C.  [ ] The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which is issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

[ ] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. **[or]**

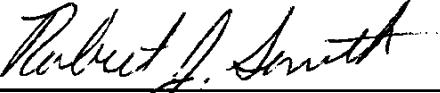
[ ] Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and

[ ] The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

[X] Please charge any required fees to Deposit Account No.07-1392.

[ ] A duplicate copy of this paper is attached.

Respectfully Submitted,

  
\_\_\_\_\_  
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Attorney of Record  
Registration No. 40,820

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<b>FORM PTO-1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b>				<b>ATTORNEY DOCKET NO.</b> <b>PB60540USw</b>		<b>SERIAL NO.</b> <b>To be assigned</b>	
				<b>APPLICANT</b> <b>Phillip Charles BOX et al.</b>			
				<b>FILING DATE</b> <b>Concurrently herewith</b>		<b>GROUP</b> <b>To be assigned</b>	
				<b>U.S. PATENT DOCUMENTS</b>			
<b>Examiner Initials</b>		<b>Patent Number</b>	<b>Issue Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>	<b>Filing Date If Appropriate</b>
	1.	4,353,365	10/12/1982	HALLWORTH et al.			
	2.	4,778,054	10/18/1988	NEWELL et al.			
	3.	4,811,731	03/14/1989	NEWELL et al.			
	4.	4,992,474	02/12/1991	SKIDMORE et al.			
	5.	5,035,237	07/30/1991	NEWELL et al.			
	6.	5,552,438	09/03/1996	CHRISTENSEN, IV			
Continue on page <u>2</u>							
<b>FOREIGN PATENT DOCUMENTS</b>							
		<b>Document Number</b>	<b>Publication Date</b>	<b>Country</b>	<b>Class</b>	<b>Subclass</b>	<b>Translation Yes   No</b>
	7.	GB2064336	06/17/1981	GB			X
	8.	EP 69715	01/12/1983	EPO			X
	9.	GB2129691	05/23/1984	GB			X
	10.	EP 162576	11/27/1985	EPO			X
	11.	DE 3524990	01/23/1986	DE			X (Abstract)
	12.	GB2162842	02/12/1986	GB			X
	13.	GB2165542	04/16/1986	GB			X
	14.	GB2169265	07/09/1986	GB			X
	15.	EP 0198412	10/22/1986	EPO			
	16.	GB2178965	02/25/1987	GB			X
	17.	EP220054	04/29/1987	EPO			X
Continue on page <u>2</u>							
<b>OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)</b>							
	18.	Alikhani et al., "Long-chain formoterol analogues: an investigation into the effect of increasing amino-substituent chain length on the $\beta$ .beta.2-adrenoceptor activity," <i>Bioorganic &amp; Medicinal Chemistry Letters</i> 14(18):4705-4710 (2004).					
	19.	Fujii et al., "Novel phosphodiesterase 4 inhibitor T-440 reverses and prevents human bronchial contraction induced by allergen," <i>J Pharmacol Exp Ther</i> 284(1):162 (1998).					
	20.	Landells et al., "Oral administration of the phosphodiesterase (PDE)4 inhibitor, V11294A inhibits ex-vivo agonist-induced-cell activation," <i>Eur Resp J (Annu Cong Eur Resp Soc, Geneva)</i> 12(Suppl. 28) Abst P2393 (Sep. 1998).					
Continue on page <u>2</u>							
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>		
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

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				APPLICANT Phillip Charles BOX et al.			
				FILING DATE Concurrently herewith	GROUP To be assigned		
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
		21. 5,590,645	01/07/1997	DAVIES et al.			
		22. 5,860,419	01/19/1999	DAVIES et al.			
		23. 5,873,360	02/23/1999	DAVIES et al.			
		24. 5,998,428	12/07/1999	BARNETTE et al.			
		25. 6,321,747	11/27/2001	DMITROVIC et al.			
		26. 6,514,996	02/04/2003	OHSHIMA et al.			
		27. 6,632,666	10/14/2003	BAUST et al.			
Continue on page							
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes   No
		28. EP 0239815	10/07/1987	EPO			
		29. GB2230523	10/24/1990	GB			X
		30. GB 2242134	09/25/1991	GB			X
		31. WO 99/16766	04/08/1999	PCT			X (Abstract)
		32. WO 99/47505	09/23/1999	PCT			X
		33. EP 0947498	10/06/1999	EPO			X
		34. WO 00/51599	09/08/2000	PCT			X
		35. WO 01/04118	01/18/2001	PCT			X
		36. WO 01/13953	03/01/2001	PCT			X
		37. WO 02/066422	08/29/2002	PCT			X
		38. WO 03/091204	11/06/2003	PCT			
Continue on page							
<b>OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)</b>							
Continue on page							
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